UNITED STATES ENVIRONMENTL PROTECTION AGENCY
REGION IX

IN THE MATTER OF:

Dominguez Channel Oil Spill	)	
Latitude: 33.785010, Longitude: -118.2372450	)	U.S. EPA Docket
Wilmington, Los Angeles, Co., CA	)	
	)	No. OPA CWA 311-09-2011-0002
Crimson Pipeline Management Company,	)	
Respondent	)	
	)	
Proceeding Under Section 311(c)	)	
of the Federal Water Pollution Control Act,	)	
33 U.S.C. § 1321(c)	)	
	)	

RESPONSE TO INFORMATION REQUESTS

Respondent, Crimson Pipeline, L.P. ("Crimson"), submits the following responses to the Information Requests dated April 19, 2011.

Crimson's responses are based on information available to Crimson at this time. Crimson's response activities pursuant to the Order for Removal, Mitigation or Prevention of a Substantial Threat of Oil Discharge, No. OPA CWA 311-09-2011-0002, dated March 30, 2011 (the "EPA Order") are ongoing. As of the date of this response, Crimson has not completed the investigations and activities described in the Project Plan For Investigation, Removal, Mitigation or Prevention of a Substantial Threat of Oil Discharge, dated May 3, 2011, revised May 26, 2011 and approved by EPA on June 15, 2011 (the "Project Plan"). Crimson reserves the right to supplement its responses on the basis of information obtained through its activities pursuant to the EPA Order and the Project Plan or from other sources. The information submitted is true and correct and correct to the best of Crimson's knowledge and belief, subject to the limitations set forth above and in the responses.

By responding to the Information Requests, Crimson does not intend to admit that the EPA Order was properly issued or that Crimson or its affiliates are responsible parties under section 311 of the Clean Water Act (33 U.S.C. § 1321) or the Oil Pollution Act (33 U.S.C. § 2701, *et seq.*).

Capitalized terms used in the response have the same meaning as in the "Definitions" in the Information Requests, except as specifically noted.

1. Identify the person(s) answering these questions on behalf of Crimson Pipeline L. P., its affiliates, contractors and other related entities, including full name, business mailing address, business telephone number and relationship to Crimson Pipeline L. P.

Response to Request No. 1:

The responses are submitted on behalf of the Crimson by Larry Alexander as an officer and representative of Crimson Pipeline, L.P. Mr. Alexander is the President of Crimson Pipeline, L.P. and a Vice President of Crimson Pipeline Management, Inc., the general partner of Crimson Pipeline, L.P. Mr. Alexander is President of Crimson California Pipeline, L.P. His address is:

Mr. Larry Alexander
Crimson Pipeline, L.P.
2459 Redondo Ave.
Long Beach, CA 90755-2040
562-595-9216

2. Provide a description and a map showing the location of the Release.

Response to Request No. 2:

The site at which the Release was discovered (the "Collection location") and the site of Crimson's Youngstown Lateral Pipeline ("Youngstown Lateral") are identified in Figure 1 of the Project Plan. Figure 1 from the Project Plan is attached as **Exhibit 1**.

3. Describe the material or oil that was the subject of the Release, including, but not limited to, the chemical name and concentration of each constituent (if available, provide chemical abstract number[s], material safety data sheet[s], hazardous waste determinations, chemical and physically characteristics, analytical data, etc.).

Response to Request No. 3:

The material recovered at the outfall of the City of Los Angeles storm water pump station is crude oil. Crimson's Youngstown Lateral pipeline transports crude oil. An MSDS for the type of crude oil transported through the Youngstown Lateral is attached as **Exhibit 2**.

4. Describe the cause of the Release, including whether the Release source was a pipe, tank, truck, etc. Provide the age of the tank, pipeline or other container from which the Release occurred and the date and results of the last tank/pipeline integrity test that was performed on such tank, pipe or other container (e.g., pressure, shell thickness, etc.) if applicable.

Response to Request No. 4:

This response is limited to the known release of crude oil from the Youngstown Lateral. The release from the Youngstown Lateral has been identified by EPA as the source of crude oil that entered the Dominguez Channel. Additional sources of crude oil may be identified as a result of activities pursuant to the Project Plan and the EPA Order. The release from a casing vent at the Youngstown Lateral is described in the Response to Request No. 9.

The Youngstown Lateral is a 4-inch diameter crude oil pipeline within a 12-inch diameter casing pipeline. Youngstown Lateral originates at a location near crude oil tanks owned by Occidental Petroleum Company ("Occidental") to the west of the Alameda Corridor Transportation Authority ("ACTA") right of way and terminates at a connection with the Thums 8-inch pipeline on the east side of the ACTA right of way. The eastern terminus of the Youngstown Lateral is located inside the Tesoro Refinery. The total length of the Youngtown Lateral is approximately 400 feet in length. The Youngstown Lateral is a steel pipe with a wall thickness of approximately 0.237 inches. The 12-inch casing pipeline is a steel pipe. The wall thickness of the casing pipeline is approximately 0.25 inches, based on visual inspection. Crimson has not determined the exact wall thickness of the casing pipeline.

Crimson California Pipeline, L.P. ("Crimson California") purchased the Youngstown Lateral and Thums 8-inch pipeline from Shell California Pipeline LLC ("Shell") in May 2005. Shell acquired the Youngstown Lateral from Texaco as a result of the merger between Shell and Texaco at the formation of Equilon Enterprises in January 1998. The actual age of the Youngstown Lateral is unknown as no original construction records can be found. A drawing dated in 1942, attached as **Exhibit 3**, shows a Texas Co. pipeline crossing the tracks alongside two General Petroleum (Mobil) pipelines.

The most recent integrity test of the crude pipeline was conducted in July 2007. The pressure test was conducted in accordance with the testing schedule and standards mandated by the regulations of the California State Fire Marshal and the U.S. Department of Transportation. The pipeline was pressurized to 500 psi for 8 hours and passed. The maximum allowable operating pressure of the pipeline is 400 psi. The test report is attached as **Exhibit 4**.

The Youngstown Lateral runs beneath the ACTA rail lines and drainage system. Crimson has been advised by ACTA that the ACTA drainage system was constructed in the late 1990s. The cause of the release from the Youngstown Lateral is believed to be damage to the casing that allowed water to enter the casing and corrode the pipeline. The damage to the casing is shown in Figure 6 of the Project Plan, attached as **Exhibit 5**. A letter from ACTA's counsel to Herzog Contracting Corporation ("Herzog"), the contractor on the drainage project, is attached as **Exhibit 6**. As indicated in Exhibit 6, Herzog was working under a 1995 contract with the City of Los Angeles Harbor Department. Oil appears to have escaped from a leak in the pipeline, entered the casing and eventually entered the ACTA drainage system through the hole in casing. The damage to the casing was discovered when the ACTA drainage system above a portion of the Youngtown Lateral was excavated by ACTA on March 29, 2011.

5. Provide the total quantity of oil or hazardous substance (in gallons or barrels) of the Release, and explain how this was calculated.

Response to Request No. 5:

At this time, Crimson cannot determine the amount of crude oil released at the Youngstown Lateral or any unidentified source. The estimated amount of crude oil recovered at containment facilities (located at Grant/Leeds Avenue and the Shell Lube Plant) has not been finalized but appears to be less than 800 gallons. This estimate is based on the report attached as Exhibit7. Crimson has submitted a Work Plan to EPA for sampling, testing and disposal of water and crude oil recovered at the containment facilities. The completion of this Work Plan will likely allow a final determination of the oil quantities recovered at the containment facilities. The estimate of amounts recovered will be corrected, if necessary, after completion of the testing and disposal of collected water and crude oil. Crimson's Project Plan provides for further examination of the ACTA drainage system between the Youngstown Lateral and the outfall of the storm drain to identify other sources and to quantify amounts of crude oil that may remain within or adjacent to the ACTA drainage system.

6. If applicable, describe the quantity (gallons or barrels) captured and retained by any pre-existing secondary containment structure, explain how this quantity was calculated, and provide copies of any available documentation or materials used in making this determination.

Response to Request No. 6:

See response to Request No. 9.

7. Describe the pathways of migration of the Release from its source into or on soil, surface water, groundwater or other navigable waters. Describe any storm water drains, sewers or other public utilities into which the Release may have migrated.

Response to Request 7:

The pathways of the suspected release are described in the Project Plan at pages 22 to 26. Crimson will supplement this response if additional pathways are identified in the course of its activities under the Project Plan and EPA Order.

8. If applicable, describe the quantity (gallons or barrels) of oil or hazardous substance that:

a. Reached a navigable water, explain how this was calculated and provide any available documentation, and/or

b. Reached a storm drain, sewer or other utility (public or private), explain how this was calculated and provide any available documentation.

Response to Request No. 8(a):

For purposes of its response to Request No. 8(a), Crimson assumes the Dominguez Channel is the relevant "navigable water." Crimson is aware of no information establishing that oil released from the Youngstown Lateral was released into the Dominguez Channel. No representatives of Crimson were present at the Dominguez Channel at the time the release at that site was first observed. EPA's POLREP #1 describes an oil sheen that was observed in the Dominguez Channel on December 21, 2010. The description in POLREP #1 lacks sufficient detail to support an estimate of the amount of crude oil that entered the Dominguez Channel at this time.

Response to Request No. 8(b):

See response to Request No. 5.

9. State when {date and time), how, and by whom (include name, address and telephone number) the Release was first discovered. If different, state when (date and time), how and by whom (include name, address and telephone number) a representative of the facility first discovered the Release.

Response to Request No. 9:

The discovery of the release at the Dominguez Channel is described in EPA's POLREP #1. The discovery of a release of oil at the Youngstown Lateral occurred at 1:30 pm on October 18, 2010. On October 18, 2010, Tesoro reported to Crimson that approximately one gallon of oil had leaked from a casing vent on the Tesoro Refinery. The report was received by Tracy Wilkinson, Crimson's Operations Supervisor. Tesoro's Incident Report is attached as **Exhibit 7**. Due to the limited quantity of oil that was released according to the Tesoro report, Crimson was not required to report the spill to any government agency under its Integrated Response Plan or applicable laws. The Notification Procedures section of Crimson's Integrated Contingency Plan is attached as **Exhibit 8**.

10. Provide the date and time that the Release began (include description of how this was determined).

Response to Request No. 10:

The leak in the Youngstown Lateral pipeline developed some time after the successful pressure test in 2007. The pressure test is described in the Response to Request No. 4 and is attached as **Exhibit 4**. At this time, Crimson has not determined when the leak in the Youngstown Lateral began, except that it began during the period between the pressure test in 2007 and the release from the casing vent inside the Tesoro refinery on October 18, 2010. The size of the leak, its cause, and the likely time at which it developed will be investigated by Crimson as an activity under the Project Plan.

11. If applicable, describe any active measures the Respondent undertook to prevent the Release from reaching any navigable waters, and the quantity of oil or hazardous substance that was captured in this fashion and prevented from reaching such waters. State specifically when each of these actions was taken and provide any available documentation.

Response to Request No. 11:

Crimson's response to Request No. 11 refers only to its activities in response to the leak at the Youngstown Lateral described in its response to Request No. 9. The activities described in this response and the Response to Request No. 9 were taken in order to address an observed leak of a small volume of crude from the pipeline in accordance with industry practice and Crimson's Integrated Contingency Plan.

Crude oil was not being moved through the Youngstown Lateral Crimson at the time the leak was reported. On October 18, 2010, Crimson immediately isolated the Youngstown Lateral from the Thums 8-inch pipeline by closing the valve at the connection. The valve at the west end of the pipeline also was closed. The closing of the valves at each end of the pipeline isolated it from all sources of crude oil.

On October 22, 2010, Crimson flushed the Youngstown Lateral crude pipeline with water by injecting water at the Tesoro end of the crude pipeline and recovering oil and water with a vacuum truck located at the westerly end of the pipeline. Crimson then pressurized the crude pipeline and determined that it would no hold pressure, confirming that the crude pipeline had experienced a leak.

The activities described above had isolated the pipeline from the Occidental tanks and the Thums 8-inch pipeline and had removed any crude oil from the pipeline. Crimson had no information that would have indicated the casing pipe surrounding the Youngstown Lateral was compromised in any way. The presence of oil at the casing vent indicated that the casing was functioning properly as a secondary containment structure around the crude oil pipeline.

In early November, 2010 Crimson entered into negotiations with Occidental for an agreement to share the costs of replacing the crude pipeline in order to allow deliveries from the Occidental lease to the Thums 8-inch pipeline. Crimson entered into an agreement with Occidental to share the costs of replacing the crude pipeline in early December. Crimson then began steps toward the pipe replacement project in mid-late December. As the first step in the replacement project Crimson excavated the easterly end of the casing inside the Tesoro refinery on December 15 and 16, 2010. After the casing end was exposed, the casing "boot" (the seal between the 12-inch casing and the 4-inch pipeline) was observed to be intact and no visible oil was seen in the soil at the end of the casing. On December 20, 2010, in order to remove any remaining oil from the casing, Crimson then removed the casing "boot", placed a containment barrel below the open casing and flushed the casing by pumping water through the casing vent at the westerly end of the casing and recovering the water with a vacuum truck at the open easterly end of the casing. Approximately 70 barrels of water were injected into the casing and approximately 70 barrels of water were recovered, which confirmed Crimson's understanding that the pipeline casing was intact and functioning as a secondary containment for any leak from

the crude pipeline. Doty Bros. Construction performed the excavation and flushing of the casing. Copies of Doty's daily job tickets are attached as **Exhibit 9**.

12. Provide any photographs of the Release and the location, both before and after, of any cleanup resulting from the Release.

Response to Request No. 12:

Attached, as **Exhibit 10**, are nine photographs showing the leak at the casing vent inside the Tesoro Refinery and the cleanup of the minor quantity of oil at that location.

13. Provided the date and time when cleanup operations were considered complete and all of the discharged material was removed from navigable waters.

Response to Request 13:

Crimson's initial response to the leak at the Youngstown Lateral, as described above, was completed by October 18, 2010. Crimson's response and remediation activities under the EPA Order and the Project Plan are not complete at this time.

14. Describe any changes made to prevent a spill such as the Release from occurring in the future. Describe any equipment repairs or replacements and additional preventive measures taken, or contemplated, to minimize either the possibility of another discharge or the seriousness of another discharge, including actual or (in the absence of actual) estimated costs.

Response to Request No. 14:

The Youngstown Lateral was removed from service on October 18, 2010. Crimson is evaluating its practices and its Integrated Contingency Plan and may make changes to its practices and plans on the basis of information developed through its response activities and investigations.

15. Provide any other pertinent information that you would like the EPA to consider.

Response to Request No. 15:

Crimson requests that EPA consider the following information:

Assuming investigations establish crude oil from the Youngstown Lateral reached the Dominguez Channel, which is not admitted by Crimson, the release and the potential pathway to Dominguez Channel were created by the negligence of the contractor that built the ACTA drainage system. In the absence of the negligence of a third party, the Youngstown Lateral could not have contributed to a release into navigable waters.

The Youngstown Lateral is over 4000 feet from the Dominguez Channel. The Youngstown Lateral was a low-volume pipeline that served a single location. Crude oil normally moved through the Youngstown Lateral in deliveries through the Youngstown Lateral averaged approximately 40 barrels per day.

Given the location, construction and volume of crude oil moved through the Youngstown Lateral, Crimson had no reason to suspect that any leak in the Youngstown Lateral crude pipeline could result in a release into the Dominguez Channel or any other body of water. Until the damaged casing was uncovered on March 29, 2011, Crimson had no knowledge of a possible pathway from the Youngstown Lateral to the Dominguez Channel or any other body of water.

As noted above, Crimson's planned activities under the Project Plan detailed forensic analysis of the crude pipeline and casing to confirm the cause of the leak and to determine when the leak developed. All available information indicates the damage to the pipeline casing occurred during the construction of the ACTA drainage system. The drawings for the ACTA drainage system attached as **Exhibit 11** show pipelines at the location of the Youngstown Lateral. A photograph of the excavation above the damaged area of the casing taken during the excavation by ACTA on March 29, 2011 shows survey "whiskers" on top of the casing at the site of the damage to the casing. Whiskers are normally used to mark pipelines during construction activities. The whiskers and damaged area are shown in the picture attached as **Exhibit 12** and in **Exhibit 5**. The damage to the casing shown in **Exhibit 11**and **Exhibit 5** appears to have been caused by a direct blow to the casing from a backhoe or similar machine. The damage would have been evident to the operator of the machine that struck the casing and to anyone present at the time of the accident. The damage was not reported to the former owner of the Youngstown Lateral. The construction of the drainage system continued after the casing was damaged. The damage to the casing was concealed by the completed drainage system. During the period of over ten years between the construction of the ACTA drainage system and the discovery of the leak at the Youngstown Lateral, water entered the damaged casing and eventually corroded the crude oil pipeline within the casing.

I, Larry W. Alexander, as President and authorized representative of Crimson Pipeline, L.P., hereby certify that all statements contained in the foregoing responses are true and accurate to the best of my knowledge and belief.

Larry W. Alexander, President

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles }

On July 18, 2011 (Date) before me, JEFF HERGESHEIMER Notary Public (Here Insert Name and Title of the Officer),

personally appeared Larry W Alexander (Name(s) of Signer(s))

,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

JEFF HERGESHEIMER
Commission # 1907921
Notary Public - California
Los Angeles County
My Comm Expires Nov 9, 2014

Place Notary Seal Above

Signature _____ (Signature of Notary Public)

OPTIONAL

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Title or Type of Document: Response To Information Request

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- ☐ Partner — ☐ Limited ☐ General
- ☐ Attorney in Fact
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